OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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SUE EARL,	: Hon. Richard M. Berman, U.S.D.J.
•	: Civil No.: 07 CIV 9595 (RMB)
Plaintiff,	:
	:
vs.	: ORDER
	:
NOVARTIS CONSUMER HEALTH	f, :
INC.,	:
Defendant.	:
Dololladii.	:
	:

THIS MATTER HAVING been opened to the Court by Defendant Novartis Consumer Health, Inc., on a motion for summary judgment pursuant to FED. R. CIV. P. 56; and the Court having reviewed the papers submitted in support of and in opposition to the motion; and having heard the arguments of counsel; and good cause having been shown:

IT	IS	on this	day of	2008;
* *		OTT CITED	uu, or	

ORDERED that defendant's motion for summary judgment is hereby GRANTED; and it is

FURTHER ORDERED that plaintiff's Complaint be and hereby is DISMISSED WITH PREJUDICE; and it is

FURTHER ORDERED that plaintiff's Motion to Amend the Complaint to add Nestle Healthcare Nutrition as a Defendant is **DENIED**.

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